



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

RICHARD J. DESLAURIERS, ET AL § Group Art Unit: 1617

Serial No.: 10/808,188 §

Examiner: *unassigned*

Filed: 03.24.2004 §

Title: **"METHODS FOR PERFORMING MEDICAL PROCEDURES WHICH PROMOTE BONE GROWTH, COMPOSITIONS WHICH PROMOTE BONE GROWTH, AND METHODS OF MAKING SUCH COMPOSITIONS"** §

Atty. Docket No.: 064361.0126

CERTIFICATE OF MAILING VIA EXPRESS MAIL
37 C.F.R. 1.10

PURSUANT TO 37 C.F.R. §1.10, I HEREBY CERTIFY THAT I HAVE KNOWLEDGE AND A REASONABLE BASIS FOR BELIEF THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL POST OFFICE TO ADDRESSEE ON THE DATE INDICATED BELOW AND IS ADDRESSED TO:

MAIL STOP AMENDMENT
HONORABLE COMMISSIONER FOR PATENTS
P.O. Box 1450
ALEXANDRIA, VA 22313-1450.

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Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THOMAS M. MORROW

10/19/04
DATE

DATE OF MAILING:
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OCTOBER 19, 2004
EV 449865670 US

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants respectfully request, pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, that the art listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application.

All nine of the patent documents cited on the Form 1449 were cited in the International Search Report for PCT/US2004/008966, an international application that is a foreign counterpart of the present U.S. application. A copy of the International Search Report is enclosed, and is cited on the Form 1449. A copy of the Written Opinion of the International Searching Authority also is enclosed, and is cited on the Form 1449.

Three of the cited references are U.S. Pat. Nos. 4,598,136, and 4,256,617; and U.S. Pat. App. Pub. 2002/0016636A1. As this Information Disclosure Statement is being filed after June 30, 2003, and in accordance with the U.S. Patent Office waiver of the requirement under 37 C.F.R. 1.98(a)(2)(i), copies of these three (3) cited U.S. Patent documents are not enclosed.

The International Search Report also cited six (6) foreign documents, as set forth below.

The International Search Report cited International Publication WO 96/39201, and EP 0 867 422 A2, copies of which are enclosed.

The International Search Report also cited DD 268 114 A3, a copy of which is enclosed. An English translation of this reference has been procured, and is enclosed.

The International Search Report also cited DD 268 119 A3, a copy of which is enclosed. An English translation of this reference has been procured, and is enclosed.

The International Search Report also cited DD 268 130 A3, a copy of which is enclosed. An English translation of this reference has been procured, and is enclosed.

The International Search Report also cited DD 295 827 A5, a copy of which is enclosed. An English translation of this reference has been procured, and is enclosed.

Pursuant to 37 C.F.R. §§1.97(g) and (h), Applicants do not represent that a search

has been made and do not admit that these references are, or are considered to be, material to the patentability of the present application.

As this Information Disclosure Statement transmitted herewith is being filed prior to the issuance of a first Office Action on the merits in this case, Applicants believe that no fee is due. However, should the Commissioner deem that any fees are due, Applicants respectfully request that the Commissioner accept this as a Petition Therefor, and further direct the Commissioner to debit any fees due from Baker Botts L.L.P. **Deposit Account No. 02-0383, Order No. 064361.0126.**

Respectfully submitted,

BAKER BOTTS L.L.P. (023640)

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DATE: October 19, 2004

Client Reference No. 064361.0126

PATENT

PTO-1449 Information Disclosure Citation in an Application	Application No. 10/808,188	Applicant(s): Deslauriers, et al.	
	Docket Number 064361.0126	Group Art Unit 1617	Filing Date 03/24/04

U.S. PATENT DOCUMENTS

	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
1	4,598,136	07/01/86	WICK	528	56	03/26/85
2	4,256,617	03/17/81	KROPLINSKI, ET AL	260	18	11/01/79
3	2002/0016636A1	02/07/02	RICCI, ET AL.	623	23.51	08/01/01

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
1	DD 268 114 A3	05/24/89	East Germany			X	
2	DD 268 119 A3	05/24/89	East Germany			X	
3	DD 268 130 A3	05/24/89	East Germany			X	
4	DD 295 827 A5	11/14/91	East Germany			X	
5	EP 0 867 422 A2	09/30/98	Europe				
6	WO 96/39201	12/12/96					

NON-PATENT DOCUMENTS

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
1	PCT International Search Report	AUGUST 17, 2004
2	PCT Written Opinion of the International Searching Authority	UNDATED

EXAMINER /Rachael Welter/	DATE CONSIDERED 01/06/2010
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.